

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>V.</b>	)	<b>CASE NO.: 1:06cr107-MHT</b>
	)	
<b>MICHAEL D. HARVEY</b>	)	

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**MOTION TO WITHDRAW AS COUNSEL OF RECORD**  
**AND FOR APPOINTMENT OF CJA PANEL ATTORNEY**

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**COMES NOW** the undersigned counsel, Kevin L. Butler, and files this Motion to Withdraw as Counsel of Record and for Appointment of a CJA Panel Attorney, Tim Halstrom, on behalf of Defendant, Michael D. Harvey. In support of this Motion, counsel states the following:

1. On April 19, 2006, the Federal Defender Office was appointed to represent Mr. Harvey with respect to the criminal charges he faces in the above-styled case. The case was then assigned to undersigned counsel.

2. On January 26, 2007, undersigned counsel discovered that a conflict exists between Mr. Harvey and another client of the Federal Defenders Office, which requires counsel to withdraw from further representation of Mr. Harvey. Undersigned counsel will provide additional information under seal if the Court so requests.

WHEREFORE, undersigned counsel prays that the Office of the Federal Defender be permitted to withdraw from the representation of Mr. Harvey and a CJA panel attorney, Tim Halstrom, be appointed.

Dated this 30<sup>th</sup> day of January 2007.

Respectfully submitted,

s/ Kevin L. Butler  
KEVIN L. BUTLER  
First Assistant Federal Defender  
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Montgomery, Alabama 36104  
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**CERTIFICATE OF SERVICE**

I hereby certify that on January 30, 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Susan Redmond, Esquire  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, Alabama 36104

Respectfully submitted,

s/ Kevin L. Butler  
KEVIN L. BUTLER  
First Assistant Federal Defender  
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